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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: ELKE HELFTENBEIN-1 (PCT)
 SERIAL NO.: 09/762,643 FILED: FEBRUARY 9, 2001
 PCT NO.: PCT/EP99/05857 PCT FILED: AUGUST 12, 1999
 TITLE: VESSEL FOR BLOOD SAMPLING

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 C.F.R. §1.121)

ATTN: BOX NON-FEE AMENDMENT
 Assistant Commissioner of Patents
 Washington, D.C. 20231

Dear Sir:

In response to the Notice of Non-Compliant Amendment (37 C.F.R. §1.121), mailed July 5, 2001, Applicant re-submits the Preliminary Amendment previously filed on April 5, 2001, but in the format required under 37 C.F.R. §1.121. Applicant has inserted a new paragraph on page 1 providing the cross-reference to related applications, and accordingly, it is believed that there is no need to provide a marked-up version of the specification page.

Respectfully submitted,
 ELKE HELFTENBEIN

Edward R. Freedman
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 Edward R. Freedman, Reg. No. 26,048
 Attorneys for Applicant

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 1077 Northern Boulevard
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 (516) 365-9802

Enclosure: Preliminary Amendment and copy of Notice

Express Mail No. EL 871 446 518 US
Date of Deposit July 31, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above, and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Lisa L. Vulpis
 Lisa L. Vulpis



UNITED STATES PATENT AND TRADEMARK OFFICE

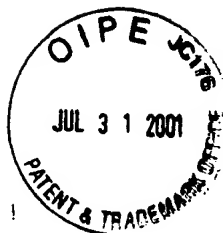
COMMISSIONER FOR PATENT
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20230
WWW.USPTO.GOV

APPLICATION NO.

FILING DATE

FIRST NAMED INVENTOR

ATTORNEY DOCKET NO.



EXAMINER

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ART UNIT

PAPER NUMBER

AUG 03 2001

DATE MAILED: 7-5-01

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Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 5-18-01 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- ☐ 1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
- ☐ 2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii).
- ☐ 3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i).
- ☐ 4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii).
- ☐ 5. Other _____

☒ **PRELIMINARY AMENDMENT:** Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

☐ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

Legal Instruments Examiner